App. F. IX-4

Previous References.

1954-55 (GTB.)

File No. 13-54-

Serial Nos. 40, 41, 49, 50

Later References.

MYSORE GOVERNMENT SECRETARIAT

Serial Nos. Four

P9
E

Part B for October 1954

SUBJECT

Grant of leave Preparatory to retirement to Sri A.S.R. Rao, Engineer-Officer, City Improvement Trust Board, Bangalore

WD 06701—GPB—25,000—11-8-54

To,

The Chairman,
City Improvement Trust Board
Bangalore

L.8793/ Dated 20.10.54

Forwards a copy of letter

Yr. Ramakrishnaiah
10.12.54

Serial No.

Letter No. 412/P.W.2/G.A.D. 111 & 247/54 from the A.G. regarding grant of leave to Sri. D.S.R. Rao, Ex-Engineer officer of the T.B.

1) submitted for perusal. The A.G. objects to the grant of leave to Sri. D.S.R. Rao, for a period of 2 months and 10 days with effect from 26-2-54, as, according to him, the sanction to the grant of a portion of leave beyond the date of superannuation of the officer concerned by age is not covered by the provisions of Art. 154(a) of M.S.R.

2) The question of superannuation in the case of Sri. D.S.R. Rao does not arise, as he was appointed only on temporary basis subject to termination with 3 months notice on either side. However, the services of Sri. D.S.R. Rao were not terminated on 22-3-54, the date on which he attained the age of superannuation. According to the notification No. L 2627/J.T.B. 24-53-79 dt 10-6-54, his services were actually extended beyond 22-3-54 upto the date on which the leave

Flg B (Page 2 of the collection file).

Note.—Contn. Sheet

3115 / TR — grant of leave to Sri D. S. R. Rao Ex-Engineer officer of the B.T.B.

File No. (2) of 195 .

Mysore Government Secretariat

Serial No.

for 2 months and 10 days granted with effect from 26-2-54, expired. Hence, the objection taken by the A.G. in this case is not proper. If approved, a suitable reply will be sent to the A.G. for perusal and orders. 3) DO a reply

M.R. 2/3/8 S.M. 6/8

11 12/8

FINANCE 4248/B 2-SEP 1954

4) A draft reply is put up.

M.R. 16/8 S.M. 18/8 5) for perusal. Reported is submitted to Secy

11! 28/8

A.C.S. Finance Budget

6) Seen

Addl Secy Minister

Secy L.D.C.

MYSORE 2 SEP 1954 MUNICIPAL BRANCH

7) 3/9

Put up

To the A.G.

2 Copies of 16-9-54 sent as a reply

3115 Grant of leave to Sri. D.S.R.Rao

Mysore Government Secretariat | V 3678 File No. (3) of 195 . | [App. F. III 2

Serial No.

Letter no. Ac. 497-500/54-5 dt 13-8-54 from the Chairman, B.T.B.

9/ submitted with draft letter forwarding to the Chairman, B.T.B. forwarding a copy of letter No 7022 dt 16-9-54 already sent to A.G.

fly A./

Read for --B/s under

Rec 7/X

Issue

7/10. B/W

B/W

To,

The Chairman, BTB

h 8793 dt 20-10-54 a copy of letter dt 16-9-54 addressed to A.G.

B

Note.—Contn. Sheet

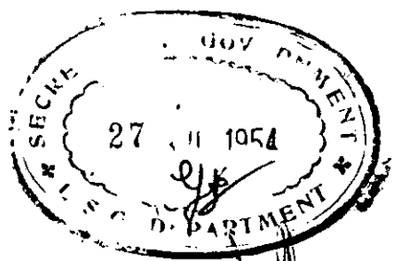
FTB.13-52-40 (1) 3115

OFFICE OF THE ACCOUNTANT GENERAL,
MYSORE,

No. 412/P.W.2/GAD.III. *Bangalore, dated* 24th July 1954.

From

The Accountant General, Mysore,
Bangalore.



To

The Secretary to Government of Mysore,
L.S.G. & Planning Departments,
BANGALORE.

Sir MA 2817

Sir,

SUB: Grant of leave preparatory to retirement to Sri D.S.R. Rao, Engineer Officer, C.I.T.B.

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page 9 of 1st collection flag B

I am to invite a reference to Government Notification No.L.2627/ITB. 24-53-79 dated the 10th June 1954 on the subject indicated above and state as under:-

Article 154 (a) lays down that all leave at the credit of a Government servant shall lapse on the date on which he attains the date of superannuation. If, however, in sufficient time before that date the officer has applied for leave preparatory to retirment and been refused on the ground of requirements of public service, then the Government servant could avail of the leave so refused subject to a maximum of six months. Article 154 M.S.R. thus neither permits the grant beyond the date of superannuation of any leave which has not been applied for and refused by the competent authority in sufficient time nor does it permit the grant or modification in the quantum of leave ex post facto.

page 3 of 1st collection flag A

2. In the case under consideration Sri. Rao is stated to have applied for the leave in his application dated the 12th January 1954. The leave applied for was sanctioned by Government vide Government Order No.L.14514-17/ITB. 24-53-61 dated the 6th February 1954. The officer was thus entitled to avail of leave for a period of one month and twelve days from the 10th February to 21st March 1954. In the Government Notification dated the 10th June 54 the officer is granted privilege leave for a period of two months and ten days with effect from the 26th February. As no part of the leave was refused by Government on grounds of public requirements in sufficient time before the date of superannuation of the officer, the sanction to the grant of a portion of leave beyond the date of superannuation of the officer accorded by Government is not covered by the provisions of Article 154 (a) M.S.R.

I would, therefore, request kindly to revise the orders dated the 10th June 1954, so as to bring it in conformity with the rules in Mysore Service Regulations.

Yours faithfully,

R Chandrasekharan 26/7

(R.K. Chandrasekharan)
ASST. ACCOUNTANT GENERAL.

GKS/-

Copy to the Controller, State Accounts Department, Bangalore, for information and necessary action.

Copy to the Chairman, City Improvement Trust Board, Bangalore, for information.

26/7

(2)

Subject :- grant of leave
~~preparatory to ret to~~
to Sri. D. S. R. Rao.

From Engineer officer, C.I.T.B,
Bangalore.

To, L.7022/I TB. 13-54-141
The A.G. 16-9-'54.

Sir,

In reply to your letter No. 412/P.N.2/I.A.D. III & 24-7-54 on the above subject, I am directed to state as follows:-

The question of superannuation in the case of Sri. D.S.R. Rao does not arise, as he was appointed only on a tenure basis, subject to termination with three months notice on either side. However, ~~the services~~ his services were not terminated on 22-3-54, the date on which he attained the age of superannuation. According to the notification No L 627/I.T.B. 24-53-79 & 10-6-54, his services were ~~further~~ extended beyond 22-3-54 ie upto the date on which the leave for 2 months and 10 days granted with effect from 26-2-54, expires.

In these circumstances, I am to add that the question of ~~suspending~~ revising the orders already passed does not arise.

Yours faithfully
[illegible]
for Secy.

20/9/54

(3)

Mysore Government
xxxxxxxxxxxxxxx/
Municipal Branch,

L. 7022/ STB 13-54-41 16th Septr. 4

The

L.S.G. & Planning Departments

To

The Accountant-General, Mysore,
Bangalore

Sir,

Subject:- Grant of leave to Sri D.S.R.Rao,
Engineer Officer, City Improvement
Trust Board, Bangalore.

In reply to your letter No.412/P.W.2/G.A.D.III dated the 24th July 1954 on the above subject, I am directed to state as follows:-

The question of superannuation in the case of Sri D.S.R.Rao does not arise, as he was appointed only on a tenure basis, subject to termination with three months' notice on either side. Moreover, his services were not terminated on 22-3-1954, the date on which he attained the age of superannuation. According to the Notification No.L.2627/I.T.B. 24-53-79 dated the 10th June 1954, his services were extended beyond 22nd March 1954 i.e., upto the date on which the leave for 2 months and 10 days granted with effect from 26-2-1954, expired.

In these circumstances, I am to add that the question of revising the orders already passed, does not arise.

Yours faithfully,

(V. Hanumanthappa)
for Secretary to Government,
L.S.G. & Planning Departments.

LNS.2.10/9.

Copied

(4)

C. F. No. 63]

GOVERNMENT OF MYSORE

No. 3678
20 AUG 1954
MYSORE MUNICIPAL BRANCH

Telegram
Telephone

OFFICE OF The Chairman,
City Improvement Trust Board,
Bangalore.

No. AC 497-500/54-55
Encls

Date 12th August 1954.

ITB. 13. 34 - 49

SECRETARIAT
18 1954

To

The Secretary to Government,
Local Self Government & Planning Departments,
Bangalore.

Sir MA 19/8

Sir,

Subject: Grant of Leave preparatory to retirement to Sri D.S.R.Rao, Engineer Officer, City Improvement Trust Board, Bangalore.

Adverting to Accountant General's letter No.412/P.W. 2/ G.A.D. III dated 24-7-1954 addressed to you and copied to me pointing out that grant of privilege leave beyond the date of Superannuation is not in confirmity with the provisions Art 154(a) M.S.R. and requesting you to revise the orders of Government dated 10-6-54, I write to state as follows:-

The whole file bearing D. No 3115/ML has been submitted for review in the light of the objection of A.G (Accounts) here separately) this will be followed after its return Mar 31/8/54

Sri D.S.R. Rao attained the age of Superannuation on 22-3-54 and on 12-1-1954 he applied for the grant of 2 months & 10 days' privilege leave which was at his credit. This leave was ~~xx~~ recommended to be refused on grounds of public requirement in this Office letter No.4438/53-54 dated 21-1-54. This leave which was recommended to be refused was sanctioned in Government Order No.L.14514-17/ITB. 24-53-61 dated 6-2-1954 and permitted to be availed of from 10-2-1954.

(2) In the meantime in accordance with Government Order No.L.13853-7/ITB. ~~dx~~ 90-53-12 dated 25/27-1-1954 Sri D.S.R.Rao was permitted to attend the United Nations Seminar at New Delhi. Accordingly he left this place for New Delhi on the night of

P.T.O.

night of 25-1-1954 and on his return from New Delhi he was relieved on the after-noon of 25-2-1954 as already reported in this Office letter No.4879/53-54 dated 23-2-1954.

It will thus be seen that for a period of One month and fourteen days between 12-1-54 the date on which he applied for the leave and 25-2-54, the date on which he was relieved, Sri D.S.R.Rao was not permitted, in the interest of Government work, to utilise the leave he had applied for and it would be unfair to deny the refusal to this extent. Of the total amount of Two months and ten days, that was at his credit on 12-1-54, a period of 25 days comes within the date of Superannuation and rest Viz One month and 15 days beyond the date of Superannuation Viz 22-3-54.

I request that sanction of Government may kindly be obtained for treating this period of One month and 15 days as refused leave for the reason that the Officer was not permitted to utilise it in the interest of Government work and modify Government Order dated 6-2-1954 to this extent.

Yours Faithfully,

(R. Madhavan.)
CHAIRMAN.

Dn/12-8.

subject (6) grant of leave
to Sri. D.S.R. Rao.

L8793

To,
The chairman, C.V.T.B, Bangalore.

GTB.13.54.50.

Sir,

In reply to your letter No. Ac.497-54
dt 5-4-55 & 13-8-54 on the above subject,
I am directed to send herewith for information
a copy of letter No. 7022/9.V.B.13-54-61
dt 16-9-54 addressed to the A.G.
in the matter.

Yours faithfully
Asstt Sec

To A.G.
a copy please

KKS
18/10/54

Dr
19/10